

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-27 are pending, Claims 1-27 having been amended by way of the present amendment.

In the outstanding Office Action, the IDS of November 9, 2001 was objected to; and Claims 1-27 were rejected as being anticipated by Sumiya (EP 892 554).

In reply, Applicants respectfully traverse the assertion that Applicants should provide translated copies of the art from the PCT application. The art submitted in the Information Disclosure Statement (IDS) of November 9, 2001 was cited by the PCT examiner and the statement of relevancy regarding these references was provided in the form of the International Search Report. Therefore, Applicants believe that they have complied with their duty of disclosure and MPEP 609.03. It is believed that the USPTO provides translation services for Examiners if the Examiner believes that a certain reference may be pertinent and not adequately described in the statement of relevance. Applicants encourage the Examiner to use these translation services consistent with examination guidelines.

With regard to the rejection of Claims 1-27, Applicants have amended the claims and respectfully submit that Claims 1-27 as amended patentably define over Sumiya.

Claim 1, for example, has been amended to clarify that a usage history of a recording medium for recording contents of information is stored in a medium. Contents of the information are then retrieved from the plurality of contents of information on the basis of the usage history so as to match a user's preference. The retrieved contents of the information are displayed on a display, where header information indicates the contents of the retrieved information.

Thus, the invention according to amended Claim 1 includes a technical feature, namely that "record history information" of information that is obtained by recording the

information in the recording medium is stored, such that based on the stored record history information, the information that suits a user's preference is searched, so that only the matched information is displayed.

The outstanding Office Action relies on Sumiya as an anticipatory reference against Claim 1. However, it is respectfully submitted that Sumiya does not disclose the storing of record history information regarding information that was obtained by recording the information in the recording medium. Nor does Sumiya disclose the information that suits a user's preference being search so that only the matched information is displayed based on the stored record history information. Because there is a lack of identity of the claimed features in amended Claim 1 and Sumiya, it is respectfully submitted that amended Claim 1 patentably defines over the asserted prior art.

Although Claims 2-27 are of differing statutory class and/or scope, it is respectfully submitted that the invention define by Claims 2-27 also patentably define over Sumiya for at least the same reasons as discussed above with regard to amended Claim 1. Therefore, it is respectfully submitted that the invention defined by Claims 1-27 patentably defines over the asserted prior art.

Consequently, in view of the present amendment and in light of the forgoing comments, it is respectfully submitted that the invention defined by Claims 1-27, as amended, patentably defines over the asserted prior art. The application is therefore believed to be in condition for formal allowance.

Respectfully submitted,  
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